

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIELA
GONZÁLEZ, FREDDY JOSE ARAPE RIVAS,
M.H., CECILIA DANIELA GONZÁLEZ
HERRERA, ALBA CECILIA PURICA
HERNÁNDEZ, E.R., HENDRINA VIVAS
CASTILLO, A.C.A., SHERIKA BLANC, VILES
DORSAINVIL, and G.S.,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security, UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY, and UNITED STATES OF
AMERICA,

Defendants.

Case No. 3:25-cv-01766-EMC

**[PROPOSED] ORDER GRANTING
MOTION TO PRESERVE STATUS AND
RIGHTS UNDER SECTION 705**

[PROPOSED] ORDER

Plaintiffs’ Motion to Preserve Status and Rights Under Section 705 (“Plaintiffs’ Motion”) was filed on May 21, 2025. After consideration of the briefs and arguments of counsel, the evidence filed in support of and in opposition to Plaintiffs’ Motion, and being fully advised, the Court finds that Plaintiffs have carried their burden to demonstrate a need for preservation of status and rights under Section 705 pending resolution of this case on the merits.

Accordingly, IT IS HEREBY ORDERED THAT Plaintiffs’ Motion is Granted as follows:

1. The Court concludes that Plaintiffs have carried their burden of showing (1) a likelihood of success on the merits of their claims that the government’s actions purporting to invalidate TPS-related documentation issued prior to the effective date of termination exceeds statutory authority and violates the Administrative Procedure Act (“APA”); (2) that the invalidation of such documentation would cause irreparable harm to TPS holders that received such documentation, their families, and the public absent preservation of the TPS holders’ status and rights; and (3) that the balance of equities and the public interest weigh in favor of preserving the status and rights conferred by such documentation.

2. It is hereby ORDERED THAT in order to preserve the status and rights of individuals who received “EADs, Forms I-797, Notices of Action, and Forms I-94 issued with October 2, 2026 expiration dates” pursuant to the January 17, 2025 extension of TPS for Venezuela, as referenced in the Supreme Court’s order on May 19, 2025, the effective date of the portion of the vacatur order purporting to invalidate those documents is postponed pending resolution of this case on the merits.

IT IS SO ORDERED.

Date: _____, 2025

The Honorable Edward M. Chen
UNITED STATES DISTRICT JUDGE